

For Immediate Release

February 11, 2008

For More Information, contact:

Chris Gaal, Office of the Monroe County Prosecuting Attorney, 349-2670

Local Leaders Propose Law Prohibiting Unattended Children In Vehicles

Bloomington, IN – Monroe County Prosecuting Attorney Chris Gaal, State Senator Vi Simpson, and State Representatives Peggy Welch and Matt Pierce today announced that they intend to explore legislation that would address the issue of children left in unattended vehicles. Indiana does not have a statute specifically prohibiting this conduct. Current State law only provides for the filing of a felony neglect charge for knowingly or intentionally endangering the life or health of a child. The law does not clearly address the issue of children being left unattended in vehicles. The proposal will give Indiana prosecutors the discretion to file a misdemeanor in response to a child left unattended in a vehicle, while preserving the possibility of a felony charge for more serious endangerment.

“There is a growing awareness that leaving a young child unattended in a car presents dangerous risks to the child,” said Representative Welch. “Medical research indicates that a child’s body is more susceptible to harm from extreme temperatures, and a rapid rise in temperature in a vehicle can occur far more quickly than many people would expect,” she added.

According to research done by the prosecutor’s office, twelve states so far have adopted laws that make leaving a child below a certain age in a vehicle unattended a criminal offense; thirteen other states have proposed similar laws. “We intend to work with others around the state to develop similar legislation for Indiana,” said Senator Vi Simpson.

Monroe County prosecutor Chris Gaal brought this gap in current law to the attention of the local legislators in response to recent neglect cases in Monroe County. Gaal explained the need by saying, “Prosecutors should have the ability to file a misdemeanor charge when appropriate in order to deter the harms that may result from leaving a child unattended in a vehicle.”

Steve Johnson, Executive Director of the Indiana Prosecuting Attorneys Council (IPAC), also reviewed the proposed measure. “Under current law, child endangerment must either rise to a felony or it is not charged at all, and there is no middle ground,” said Johnson. “This proposal addresses that problem by providing prosecutors the discretion to file a specific misdemeanor for unattended children in vehicles and gives better guidance for law enforcement.”

State Representative Matt Pierce believes that middle ground can be an important tool for prosecutors. “There are instances where filing a felony charge doesn’t make sense, but a misdemeanor charge could be used to get a person’s attention,” Pierce said. “The important thing is to prevent any more bad decisions that could put a child into danger again.”

In addition to addressing the issue through a legislative initiative, prosecutor Gaal has also organized a local public education campaign aimed at preventing children from being left unattended. The campaign is cosponsored by the Office of the Monroe County Prosecuting Attorney, Bloomington Hospital, Bloomington Police Department, Monroe County Sheriff’s Department, the Court Appointed Special Advocates (CASA) program, and the City of Bloomington Community and Family Resources Department. The campaign will include the distribution of posters throughout the community. The posters will help citizens understand the potential harms from leaving children unattended, including the

threat of abduction, heat stroke, wandering off, and drowning. The goal of the campaign is to create greater community awareness of the problem, thus reducing the number of cases of children being left unattended in vehicles.

* * *